

REMARKS

Claims 64-111 are pending in the present application. Applicant appreciates the indication that claims 81-90 and 97-98 recite allowable subject matter.

Claims 64-65, 67-75, 77-80, 91-92, 101-107, and 109-111 stand rejected under 35 USC 112, second paragraph, for indefiniteness. Claims 64-65, 67-71, 13, 75, 77-80, 107-108 stand rejected under 35 USC 102(e) for anticipation over U.S. Patent No. 6,020,750 to Berger et al. Claims 72, 74, and 91-92 stand rejected under 35 USC 103(a) for obviousness over Berger et al.

Referring to the continued refusal to examine claims 93-96 and 99-100, Applicant maintains the refusal is improper in view of the clear authority presented to the Office in preceding responses and the lack of any supporting authority submitted by the Examiner. The Office Action November 6, 2000 identified species of Figs. 2, 3 and 6. Nowhere is it alleged or stated that Figs. 9 and 10 are drawn to separate species as necessary for properly withdrawal. Contact plate 90 may be coupled with a lower surface of chuck 40 independent of whether or not an intermediate member 60 is utilized. Fig. 10 further depicts the coupling of contact plate 90 with chuck 40. In no fair interpretation are the claims directed to a contact plate mutually exclusive from claims drawn to the species of Fig. 3. To the contrary, it is clearly supported in the originally filed application that contact plate 90 may be utilized with structure of Fig. 3. In no fair interpretation do the withdrawn claims recite mutually exclusive limitations of the claims drawn to the device of Fig. 3. In

accordance with the test set out in M.P.E.P. §806.04(f), the claims were inappropriately withdrawn. Applicants request examination of such pending claims.

Referring initially to the 112, second paragraph, rejection of claim 75, Applicant has amended claim 75 and such claim is definite.

Referring to the indefiniteness rejection of claims 64, 79, 91, 108, it is stated that the scope of the claims are incomplete because the wafer holder can not be used for processing the wafer. Although Applicant's disagree with the statement of the Examiner, such is irrelevant to the indefiniteness rejection of the respective claims. In particular, the claims 64, 79, 91, 108 do not positively-recite the wafer holder being used for processing the wafer. Accordingly, the indefiniteness rejection based upon the ability of the wafer holder for processing the wafer is irrelevant inasmuch as such claims do not recite the allegedly indefinite language. Clarification of the indefiniteness rejection of claims 64, 79, 91, 108 with identification of the specific claim language objected to by the Examiner is requested in a Non-Final Action if the indefiniteness rejection is not withdrawn so Applicants may properly respond.

Referring to the indefiniteness rejection of claims 101 and 111, Applicants submit such pending claims are definite to one of ordinary skill in the art. With respect to claim 101, the relationship of the sensor and electrical coupling is clearly set forth as "wherein the electrical coupling of the electronic device workpiece is configured to provide electrical connection of the sensor with the electrical coupling of the surface of the intermediate member." With respect to claim 111, the relationship of the sensor and electrical coupling

is clearly set forth as "an electronic device workpiece including a sensor and an electrical coupling configured to provide electrical connection of the sensor with the electrical coupling of the second surface of the intermediate member." Applicant also notes that claim 111 corresponds to language of the Office Action response mailed December 17, 2002 indicated to be allowable. Applicant submits the language was understood by the Office and is definite to one of ordinary skill in the art. Clarification of the rejection is requested in a Non-Final Action if claims 101 and 111 are not considered to be definite.

With respect to the indefiniteness rejections of claims 103-104 and 106, the Examiner sets forth a recitation for a wafer holder which includes languages not appearing in claims 103-104 or 106. Claim 103 recites "the wafer holder is configured to support a wafer for processing within the wafer processing apparatus." Such recitation is definite and understood by one of skill in the art at least in consideration of the specification teachings and original drawings including Fig. 3. Claim 104 recites "the wafer holder is configured to expose a wafer to a processing environment within the wafer processing apparatus." Such recitation is definite and understood by one of skill in the art at least in consideration of the specification teachings and original drawings including Fig. 3. Claim 106 recites "the wafer processing apparatus is configured to process a wafer supported using the wafer holder." Such recitation is definite and understood by one of skill in the art at least in consideration of the specification teachings and original drawings including Fig. 3. Clarification of the rejection is requested in a Non-Final Action if claims 103, 104 and 106 are not considered to be definite. In particular, Applicant requests *identification of the*

language of the claims which is considered to be indefinite so Applicant may properly respond. The claims are definite and in condition for allowance.

With respect to the rejection of claim 105, Applicant amends Fig. 3 to illustrate an exemplary processing area adjacent a workpiece holder configured to support a workpiece for processing as readily understood in the art. Applicants refer the Examiner to the teachings in U.S. 6,112,697 illustrating one exemplary processing apparatus arranged to process a supported wafer as understood in the art. The amendment to the drawings conforms the drawings to the specification teachings regarding processing of workpieces including wafers. Applicants respectfully request withdrawal of the indefiniteness rejection of claim 105.

Referring to the prior art rejection of claim 64, communication of signals between a wafer and a wafer holder of a processing apparatus for fabrication of integrated circuitry using the wafer processing apparatus is defined. Berger clearly relates to testing and provides absolutely no fabrication of integrated circuitry using the claimed wafer processing apparatus. Berger relates to testing of already fabricated devices. Limitations of claim 64 are not shown nor suggested, and claim 64 is allowable.

The claims which depend from independent claim 64 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

For example, claim 67 recites the wafer holder includes an electrical interconnect configured to electrically couple a first surface and a second surface. Berger is devoid of

any teachings of the claimed electrical interconnect intermediate the first and second surfaces as claimed. Further, the reliance upon inherency is misplaced. The Examiner is reminded that, "in relying upon the theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristics necessarily flow from the teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). The features 26, 28 may be used for reasons other than that alleged in the Office Action. Indeed, col. 7, lines 12-15 provide features 26, 28 are in communication with predetermined internal circuits. Accordingly, alternatives exist for features 26, 28 and the allegation of an electrical interconnect as claimed does not necessarily flow from the teachings of Berger. Limitations of claim 67 are not shown nor suggested and claim 67 is allowable for this additional reason.

Referring to the prior art rejection of claim 108, Berger clearly discloses a test apparatus for testing already completed devices and fails to teach or suggest the claimed wafer processing apparatus configured to fabricate integrated circuitry using a plurality of wafers as claimed. Limitations of claim 108 are not shown nor suggested by Berger and claim 108 is allowable for at least this reason.

Applicant submits herewith copies of numerous previously-filed IDSs and 1449s which include references which have not been initialed by the Examiner. Applicants request initialization of the references and return of the initialed 1449s to Applicant.

Support for the amendment to claims 64 and 108 may be found at least at Figs. 1 and 3 and the associated specification teachings regarding the workpiece processing apparatus 10 of the originally-filed specification.

Applicant respectfully requests allowance of all pending claims.

The Examiner is requested to phone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at any time during normal business hours (Pacific Time Zone).

Respectfully submitted,

Dated: _____

10/20/03

By: _____



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